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HARYANA GOVERNMENT URBAN LOCAL BODIES DEPARTMENT

Notification

The 29th April, 2022

No. 14/27/2022-4C1.— In exercise of the powers conferred by the provision of Rule 12 of Haryana Municipal Corporation Employees (Recruitment and Condition) Service Rules, 1998 and provision of Rule 12 of Municipal Employee Service (Integration, Recruitment and Condition of Service) Rules, 2010, the Governor of Haryana hereby makes the following Online Transfer Policy for the employees working on regular basis in the Municipalities of the Haryana State.

1. **Vision:** To ensure equitable distribution of employees of municipalities at different locations in a fair and transparent manner and to maximize job satisfaction amongst employees and further to improve performance of the sub-ordinate units of Urban Local Bodies Department, Haryana.
2. **Applications:** This policy will be applicable to the cadre of employees working in the Municipalities of the Haryana State on regular basis.
3. **Definitions:** In this policy, unless the context requires otherwise:
 - (a) 'Act' means Haryana Municipal Act, 1973 and Haryana Municipal Corporation Act, 1994 as the case may be.
 - (b) 'Blocked Posts' means vacancies of the cadre of the employees worked out by the Department under clause 4(iv) of this Policy.
 - (c) 'Department' means Urban Local Bodies Department, Haryana.
 - (d) 'Employee' means
 - (i) Additional Municipal Commissioner, Deputy Municipal Commissioner, Executive Officer, Secretary, Accountant;
 - (ii) Chief Engineer, Superintending Engineer, Executive Engineer, Municipal Engineer, Assistant Engineer (Civil, Mechanical, Electrical & Horticulture), Junior Engineer (Civil, Mechanical, Electrical & Horticulture);
 - (iii) Chief Town Planner, Senior Town Planner, District Town Planner, Assistant Town Planner, Building Inspector;
 - (iv) Sanitary Officer, Senior/Chief Sanitary Inspector;
 - (v) Any other category of employee as may be specified by the Government from time to time;

working in municipality on regular basis under the provision of Haryana Municipal Corporation Employees (Recruitment and Condition) Service Rules, 1998 and provision of Municipal Employee Service (Integration, Recruitment and Condition of Service) Rules, 2010.

- (e) 'Employees of Special Category' means the blind employees or the differently abled employees or their child(ren) and spouse, women employees, women headed households, widows, widowers, couple case, employees suffering from diseases of Debilitating Disorder.
- (f) 'Government' means Administrative Secretary to Government, Haryana, Urban Local Bodies Department.
- (g) 'Head of Department' means Director, Urban Local Bodies, Haryana.
- (h) 'Municipality' means Municipal Corporations, Municipal Councils and Municipal Committees in Haryana as the case may be.
- (i) 'Prescribed Tenure' means the tenure of appointment for a period of five years, while calculating the tenure of an employee for the purpose of compulsory transfer under this policy, the date from which someone is working in a particular municipality on 1st January of the Calendar year of the transfer or any other date fixed by the Government shall be counted irrespective of the fact that he has been appointed by temporary transfer or otherwise. However, an employee may participate voluntarily in the transfer drive subject to completion of minimum three years' service in a municipality.
- (j) 'Qualifying date' for the purpose of calculation of vacant post(s), merit points etc., shall be the 1st January of the calendar year of transfer or any other date fixed by Government for this purpose.
- (k) 'Service' means duty period and all kind of leave including extra ordinary leave availed by the employee during the prescribed tenure.
- (l) 'Transfer' means posting/appointment from one Municipality to another on or before completion of prescribed tenure in a Municipality. However, an employee who has completed prescribed tenure of five years shall be entitled to opt for any other municipalities throughout the State but the said employee shall not opt for same Municipality where he/she served and completed prescribed tenure of five years.
- (m) 'Vacant post for Transfer' means;
 - i. **Actual Vacant Post:** A post not occupied by any employee;
 - ii. **Deemed Vacant Post:**
 - (a) A post presently occupied by an employee for a period of five years or more;
 - (b) A post on which an employee has been posted by temporary transfer or due to non-availability of one transfer drive;
 - (c) A post occupied by an employee who has been adjudged eligible and allowed by the competent authority to participate in general transfer drive even if he has not completed the prescribed tenure in the municipality where he is presently posted.
 - (d) A post held by employee who has completed minimum 03 years of service in a municipality and opted for voluntary participation for the Online transfer drive.

NOTE 1.— Where there are blocked posts in a cadre, the same shall be excluded from the number of vacant posts for transfer and option of employees shall be sought only against available vacant posts after blocking of posts.

NOTE 2.— The post against which an employee has been posted/transferred on compulsion of administrative reasons or under litigation shall also not be included in vacant posts for transfer.

NOTE 3.— Department shall prepare the list of vacant posts for transfer and notify them for the benefit of stakeholders. Depending upon input from stakeholders, such list may be amended if required.

4. General Principles:

(i) Time Schedule:

- (a) General transfers online will be made once in a year or as decided by Government. However, transfers/postings necessitated by promotions, direct recruitment, posts needed to be filled up in public interest, can be made manually anytime by the Administrative Secretary.

- (b) The Online process will be completed upto 31st March and transfer order shall be implemented after 31st March; or any other date fixed by the department for this purpose.
- (ii) **Liable to be posted anywhere:**
Employees are liable to be transferred under this Policy in any Municipality throughout the State. However on account of such transfer, the original seniority of the employee will not be affected and his/her lien will remain intact.
- (iii) **Computerization of relevant service record of employees:**
The Drawing and Disbursing Officer (DDO) shall ensure that all employees enter their service record in HRMS. Every employee shall be responsible for the accuracy and regular updation of data in the Management Information System (MIS) in respect of his credentials, otherwise the Department shall be at liberty to post him anywhere in the State.
- (iv) **Rationalization and Blocking of posts:**
To avoid disproportionate concentration of employees at a particular station, the Department should rationalize their sanctioned posts and also block actual vacant posts or deemed vacant posts to be kept vacant in the transfer drive. In the long run, however, the Department may increase/decrease the total number of sanctioned posts as per its assessment/recruitment.

5. Merit criteria for allotment of posts:

- (a) Merit for allotment of vacant post to an employee shall be based on the total composite score of points earned by the employee, out of 80 points as described below. The employee earned highest points shall be entitled to be transferred against a particular vacancy.
- (b) Age shall be the prime factor for deciding the claim of an employee against a vacancy since it shall have weightage of 58 points, out of total points.

Age: The first set of merit points will be the age of the employee as enumerated below:—

Sr. No.	Major Factor	Sub Factor	Maximum Points	Calculation process
(a)	(b)	(c)	(d)	(e)
1.	Age (Present date i.e., 1st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points	58	Age in number of days / 365 (maximum four decimal points)

- (c) A privilege of maximum 22 points can be availed by the employees of special categories as indicated below:-

Special Category: The second set of merit points will come from Special Category enumerated hereinafter:

Sr. No.	Major Factor	Sub Factor	Maximum Points	Explanation
(a)	(b)	(c)	(d)	(e)
1.	Gender	Female	10	10 points will be given to female employees
2.	Special category female employees	Widows/Divorced/Legally Separated/Un-married female employees more than 40 years of age/wife of serving military personal/paramilitary personal working outside the state	10	All female of this category shall be given 10 marks only.

Sr. No.	Major Factor	Sub Factor	Maximum Points	Explanation
(a)	(b)	(c)	(d)	(e)
3.	Special category male employees	Widower who has not re-married and has one or more minor children or unmarried daughter(s).	05	Eligible widowers will be given 5 points only.
4.	Differently abled persons	Vision	20	40% to 60% disability= 10 marks Above 60% to 80% = 15 marks Above 80% = 20 marks
		Locomotors	20	
		Deaf and Dumb	20	
5.	Diseases of “debilitating disorders” List of Diseases 1. Currently suffering from cancer; or 2. having undergone by-pass heart surgery; or 3. Kidney transplant; or 4. Currently undergoing dialysis.	Self	10	Valid medical certificate issued during last one year by AIIMS (including its Branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Govt. or a Medical Board so constituted.
6	Diseases of “Debilitating Disorders”	Spouse/unmarried Children	10	Valid medical certificate issued during last one year by AIIMS (including its Branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Govt. or a Medical Board so constituted.
7	Differently abled or mentally challenged children	Male/Female employee having Mentally challenged or 100% differently abled child.	10	Male/Female employee having Mentally challenged or 100% differently abled children shall be provided maximum 10 points.
8	Couple Case	Male/Female Spouse	05	Employee’s spouses working in any Department/ Board/ Corporation under any State or Govt. of India.

Note.— If husband and wife, both are working in any department/board/Corporation under State Government or Government of India, the benefit of 05 points under category of couple case above can be claimed by only one of them for which he/she has to submit a declaration in this regard that the spouse has not taken the benefit of this category. This self declaration should be uploaded on the portal at the time of participating in the drive.

- (d) The employees who are 100% blind or having 80% or more locomotor's disabilities involving both the legs shall be given their choices of posting against vacant posts only as per clause 3(m) of this Policy. However, if more than one employee of such category opted for posting at same place, then the posting shall be allotted on the basis of merit points among employees of this category. The provisions of compulsory transfer after three years shall not apply to the above category of employees.

6. Procedure to be adopted:

- (i) Head of the Department shall seek preference for choice of station(Municipality) from the eligible employees for transfer which shall include employees as per sub clause (ix) & (x) of this clause. The transfer exercise shall be carried out only through approved web based application.
- (ii) The option once availed and confirmed by the employee shall be final and cannot be changed.
- (iii) An employee who is due for superannuation within one year or less service shall not be eligible to participate in the transfer drive unless he/she so desires.
- (iv) Merit criteria for online allotment of station will be as per Para 5 above.
- (v) All transfers shall be implemented within seven days of their issuance. The concerned Drawing and Disbursing Officer shall not draw the salary of the employees who have not complied with the orders. However, in exceptional circumstances, the Government may extend time period for implementation of orders.
- (vi) The employee who falls under category of clause 5(d) shall be considered first for allotment of vacancy as per their choice and the female employees falling under category of clause 9 shall be considered thereafter and the case of transfer of all other employees shall be considered as per merit points against available vacancy after allotment to above mentioned categories.
- (vii) A Committee headed by the Commissioner, Municipal Corporation/District Municipal Commissioner, as the case may be, Civil Surgeon of concerned district and Head of Office of concerned Municipality (Officer designated by Commissioner in case of Municipal Corporation, Executive Officer in case of Municipal Council and Secretary in case of Municipal Committee) where employee joined after his transfer, may recommend deputation/temporary transfer or otherwise of any employee after the online transfer drive, on the basis of genuine and compelling reasons.

Within 15 days of issuance of orders, an employee aggrieved with the transfer process can represent to the said Committee after joining at the new place of posting, on a Grievance Redressal Forum to be provided for this purpose. The Committee will scrutinize such case and send their recommendations through Director, Urban Local Bodies, Haryana to the Government, which will be dealt under relaxation clause of the Transfer Policy or otherwise.

- (viii) Online general transfer due to completion of prescribed tenure of five years shall be treated as 'transfer in public interest' and in such case the joining time and composite transfer grant shall be admissible as per provisions in Haryana Civil Services Rules, 2016.
- (ix) All employees who have completed 5 years of service in any Municipality shall be liable for compulsory transfer through online transfer drive. However, if they did not opt for any station/office, they shall be transferred to anywhere on vacant post through online portal.
- (x) Employee, who has completed 3 years of service in a Municipality shall be eligible for voluntary participation in online transfer drive. However, if he fails to opt for any station/office after providing his consent for voluntary participation, he/she shall also be liable to be transferred to anywhere on a vacant post by online portal.
- (xi) All the employees shall be eligible to opt for any number of stations from the station offered to him on online portal. If employee could not be allotted opted station as per his merit, he shall be posted at un-opted station under anywhere category through the online portal. Hence, all the employees may ensure filling up of maximum preferences of their choice of posting against all available choice of vacant posts as per vacancy list to avoid "anywhere in the state posting".

- (xii) Every Drawing and Disbursing Officer (DDO) will be responsible for the accuracy and regular updation of data of employees in the Management Information System (MIS) on the web portal of the Department in respect of credentials of employees meant for online transfer and also shall be responsible for accuracy & regular updation of data of employees on HRMS.
- (xiii) Posting of employee in his home district as per policy dated 13.09.1991 issued by Chief Secretary to Government, Haryana as amended from time to time will be made applicable on the employees of municipalities on the basis of equivalence of pay scale. Employee working in their home district without any relaxation in Government instructions will be compulsorily transferred online out of their home districts, notwithstanding their tenure of posting in such district.
- (xiv) Any employee transferred and posted in any Board/Corporation/University etc. of the State through Online Transfer Drive, shall be treated on deputation in that Board/Corporation/University etc. and he/she shall be eligible for compulsory transfer after completion of 03 years of service at such Board/Corporation/University etc.
- (xv) Any employee may be transferred by Administrative Secretary at any time manually, if a decision is taken to initiate any regular departmental inquiry or any criminal case is under inquiry, investigation or trial against such employee, so that such employee could not influence such inquiry etc. or to maintain discipline at that office.
- (xvi) No change in the data of any employee shall be allowed, once the same is seized for conducting online transfer drive.
- (xvii) In case, employees are having equal merit points, then the employee senior in age shall be given preference over other's posting.
- (xviii) If vacancies still remains un-filled in any Municipality due to non option by any employee or due to any other reason after completion of online transfer drive, the Government may transfer any employee manually against these vacancies, so that work may not suffer.

7. **Bar against canvassing:** No employee shall canvass for his case except through a representation to the Head of Department or to higher authorities in Haryana, as per their policy. All other individual representations shall be treated as an attempt to bring extraneous influence on the due process. No relief can be sought except the one already sought as per Para 6 above.

8. **Appointment by promotion/direct recruitment:**

- (a) Employees taken in a cadre through direct recruitment/promotion/repatriation or become surplus due to any reason, shall be posted in the Municipality of eligibility and availability of vacant posts by the Administrative Secretary at anytime manually.
- (b) Notwithstanding anything in this policy, Administrative Secretary may transfer or adjust any employee manually at any time for making compliance of directions issued by any court or due to any administrative exigencies.

9. **Opportunity of option to certain categories:**

After the transfer drive, newly married or recently divorced or widow female employees shall be given preferred place of posting manually against vacancy upon request. However, they shall have to participate in the next transfer drive being married or divorced or widowed and at that time they shall be adjusted at any of their top three choices against available vacant posts. However, if the same choice of place of posting is claimed by more than one female employee of this category, then place of posting shall be allotted as per merit points.

Further, if more than three female employees come under this category, then top three choices may not be available. Therefore, female employees of this category may ensure filling up of maximum preference of their choice of posting against all available choices of vacant posts to avoid "anywhere in State posting".

10. **Posting in remote areas:**

Incentive for serving on the choice of 'Anywhere in the State': If an employee opts for 'anywhere in the State' and is thereafter posted in a municipality falling in Nuh (Mewat) district against a vacancy for which no employee has opted, he will be paid remuneration @10% of the Basic Pay+DA, during the period of said posting provided this incentive shall not be admissible in case of transfer in home district Nuh (Mewat). However, if no one opts 'Anywhere in State' or for remote areas as defined in this para and got posted by online portal against vacancy in remote area in "Anywhere" in the State category, then said employee shall also be entitled for said benefit.

11. Clarification & Implementation:

In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect and the said order shall be treated as a part of this policy.

12. Power to relax:

Notwithstanding anything contained in the policy, Administrative Secretary to Government, Haryana with the prior approval of the Chief Minister, Haryana shall be competent to transfer an employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

ARUN GUPTA,
Principal Secretary to Government Haryana,
Urban Local Bodies Department.